

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

RONALD GERALD METCALF, JR.

CIVIL ACTION NO. 22-0985

VS.

SECTION P

JUDGE TERRY A. DOUGHTY

R.C. TINDALL, ET AL.

MAG. JUDGE KAYLA D. MCCLUSKY

JUDGMENT

The Report and Recommendation of the Magistrate Judge [Doc. No. 20] having been considered, together with the written objection [Doc. No. 21] filed by Plaintiff on July 11, 2022, and, after a *de novo* review of the record, finding that the Magistrate Judge's Report and Recommendation is correct and that judgment as recommended therein is warranted,

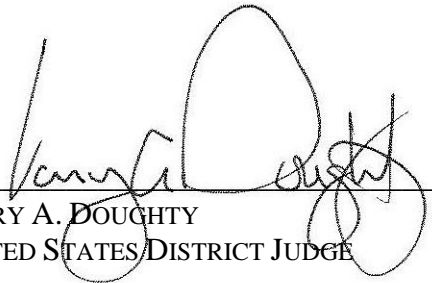
IT IS ORDERED, ADJUDGED, AND DECREED that Plaintiff Ronald Gerald Metcalf, Jr.'s, false arrest claim against Deputy Terrence Levelle Ervin is **STAYED** under the following conditions:

- a. If Plaintiff intends to proceed with this claim, he must, within thirty (30) days of the date the criminal proceedings against him conclude, file a motion to lift the stay;
- b. If the stay is lifted and the Court finds that Plaintiff's claim would impugn the validity of his conviction, the action will be dismissed under *Heck*; if no such finding is made, the action will proceed absent some other bar to suit;
- c. Plaintiff should not file any more documents concerning this particular claim in this action until the state court proceedings conclude; and
- d. Defendant shall not be required to answer these claims during the stay, and Plaintiff may not seek a default judgment or conduct any discovery during the stay.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Plaintiff's

remaining claims are **DISMISSED** as frivolous, for failing to state claims on which relief may be granted, and for seeking monetary relief against defendants' immune from such relief.

MONROE, LOUISIANA, this 12th day of July 2022.



TERRY A. DOUGHTY
UNITED STATES DISTRICT JUDGE